

DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
SENIOR DEPUTY/ENVIRONMENTAL DIVISION

Records Retention and Disposition Schedule

The Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

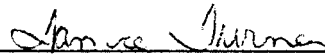
SENIOR DEPUTY/ENVIRONMENTAL DIVISION

do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. Public records including machine readable records not listed in this schedule are not authorized to be destroyed. The

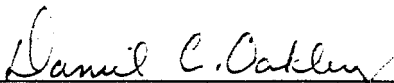
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agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

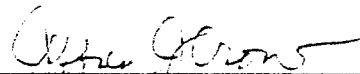
APPROVAL RECOMMENDED



Janice Turner, Chief Records Officer
Department of Justice



Daniel C. Oakley, Senior Deputy
Environmental Division

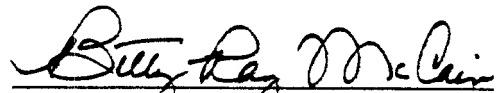


Jeffrey J. Crow, Director
Division of Archives and History

APPROVED



Michael Easley, Attorney General
Department of Justice



Betty Ray McCain, Secretary
Department of Cultural Resources

This schedule was modified to
comply with the provisions of the
General Schedule for State Agency Records,
effective October 1, 2000
Remaining items retain the
original date shown below.

August 31, 1998

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ITEM 2363. CLOSED ENVIRONMENTAL PROTECTION CASES FILE.

Records concerning closed environmental protection cases. File includes correspondence, court transcripts, briefs, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when administrative value ends. Records will be held for agency in the State Records Center 10 additional years and then transferred to the custody of the Archives. Transfer records currently stored in the State Records Center to the custody of the Archives 10 years from date received.

ITEM 14237. OPEN CRIMINAL CASES FILE.

Records presented to appellate courts for each criminal action case handled by division attorneys for the state. File includes briefs, appellate court records, decisions, district attorneys' correspondence, and court opinions, correspondence within the Attorney General's Office, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to Closed Criminal Cases File (Item 14238) when case is closed.

ITEM 14238. CLOSED CRIMINAL CASES FILE.

Records concerning each closed criminal action case handled by division attorneys. File includes briefs, appellate court decisions, district attorneys' and court opinions, correspondence within the Attorney General's Office, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office after 4 years.

ITEM 14239. ACTIVE ENVIRONMENTAL PROTECTION CASES FILE.

Records concerning findings and decisions, penalty assessments or administrative, civil, or criminal environmental protection cases. Case files include correspondence, court transcripts, briefs, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to Closed Environmental Protection Cases File (Item 2363) when case is closed.

ITEM 14242. ADVISORY LETTERS FILE.

Advisory letters written by the division attorneys to state and local government officials or their attorneys or the general public regarding routine legal matters. File also includes copies of the requests.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when administrative value ends. Records will be held for agency in the State Records Center 10 additional years and then destroyed.

ITEM 14244. DIVISION LEGAL SUBJECT FILE.

Reference copies of records concerning legal subjects, primarily relating to environmental issues. File includes records regarding the Environmental Policy Act and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office when administrative value ends.

ITEM 14245. ENVIRONMENTAL PROTECTION AND NATURAL RESOURCES SUBJECT FILE.

Reference copies of records concerning subjects relating to environmental protection and natural resources. File includes correspondence, reports, regulations and guidelines, copies of federal and state legislation, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office when administrative value ends.

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ITEM 33501. ACTIVE ENFORCEMENT FILE.

Records concerning civil penalties, enforcement, and findings and decisions. File includes Department of Environment and Natural Resources (ENR) penalty assessments and all legal correspondence regarding the assessment.

DISPOSITION INSTRUCTIONS: Records transferred to Active Environmental Protection Cases File (Item 14239).

ITEM 33502. ATTORNEY GENERAL'S FORMAL OPINIONS FILE.

Opinions provided to state or local government officials or their attorneys having statewide significance.

DISPOSITION INSTRUCTIONS: Transfer original inquiry and response to the Central Files Section, Attorney General's Combined Opinions and Correspondence for State Agencies File (Item 2353) when response has been completed.

ITEM 36790. ATTORNEY GENERAL'S ADVISORY OPINIONS FILE.

Opinions provided to state or local government officials or their attorneys regarding legal issues significant to the operation or administration of state agencies or local governments.

DISPOSITION INSTRUCTIONS: Transfer original inquiry and response to the Central Files Section, Attorney General's Advisory Opinions File (Item 2356) when response has been completed.

ITEM 36791. INFORMATIONAL LETTERS FILE.

Letters to private citizens and organizations requesting legal assistance.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.